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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 KEVIN J. IKES,

11 Plaintiff,

No. CIV S-04-2747 FCD KJM P

12 vs.

13 SACRAMENTO COUNTY SHERIFF'S
14 DEPARTMENT, et al.,

15 Defendants.

FINDINGS AND RECOMMENDATIONS

16 By an order filed January 20, 2005, plaintiff was ordered to file an in forma
17 pauperis affidavit or pay the appropriate filing fee within thirty days and was cautioned that
18 failure to do so would result in a recommendation that this action be dismissed. The thirty day
19 period has now expired, and plaintiff has not responded to the court's January 20, 2005 order
20 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

21 These findings and recommendations are submitted to the United States District
22 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
23 days after being served with these findings and recommendations, any party may file written
24 objections with the court and serve a copy on all parties. Such a document should be captioned
25 "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections
26 shall be served and filed within ten days after service of the objections. The parties are advised

1 that failure to file objections within the specified time may waive the right to appeal the District
2 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 DATED: May 10, 2005.

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6 UNITED STATES MAGISTRATE JUDGE
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